

II. Remarks

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, 68-71 are currently pending in this application. Claims 1, 31, and 42 have been amended by the present amendment. Applicants respectfully submit that no new matter has been added by these amendments.

III. Rejections

A. Constructive Election by Original Prosecution

While Applicants disagree with Examiner's assertion that the invention recited in claims 72-76 is "distinct, independent and different in [] utility" than the invention in the preceding (and original) claims, in order to expedite prosecution of this application, Applicant has abided by the Examiner's request and has cancelled claims 72-76.

B. Rejections Under 35 U.S.C. § 103(a)

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, and 68-71 (the "Pending Claims") were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,903,633 to Lorsch ("Lorsch"). Applicant respectfully traverses this rejection.

1. *Lorsch*

Lorsch is directed generally to a method and apparatus for prepaid phone card activation and billing. Its relevant portions disclose a centralized computer that stores "location data from the point of sale terminal to determine whether the person attempting to activate is indeed authorized to do so." Lorsch, 7:30-32. This "is determined [by] whether the transmission from the point of sale terminal is coming from a client who is identified by the control code on the card." Lorsch, 7:33-36. "[W]hen retailers contract to use the system, they will be able to provide a list of telephone numbers that support their point of sale terminals." Lorsch, 7:44-45. During activation, the system "read[s] the telephone number of the point of sale terminal initiating the transaction. If this telephone is not already 'registered' in the database as being a valid number belonging to that retailer, the system may then deny the activation." Lorsch, 7:49-53.

Accordingly, Lorsch relies solely upon the telephone number of the point of sale terminal; it does not make any determinations regarding the communications system over which the request arrived.

2. *Independent Claims 1, 31, and 42*

Each of the independent claims 1, 31, and 42 recite, *inter alia*, a database that comprises “identifiers of trusted sources for making stored-value card processing requests; **and identifiers of trusted communications networks . . . for carrying or transmitting stored-value card processing requests.**” (Emphasis added).

Moreover, independent claims 1 and 31 recite, *inter alia*, the central processor determining “whether the respective requesting merchant terminal has a terminal identifier stored in the database; **and whether the identifier of the first communications network over which the request is received is identified in the database as an identifier of a trusted communications network.**” (Emphasis added).

3. *Lorsch Does Not Disclose, Teach, or Suggest Independent Claims 1, 31, and 42*

Lorsch does not disclose, teach or suggest independent claims 1, 31, or 42. Lorsch relies upon the identifying telephone number of the point of sale terminal only. Lorsch keeps no database records, and makes no determinations, regarding the communications networks over which the request is carried.

Accordingly, Applicants respectfully request that the rejection of independent claims 1, 31, and 42 under 35 U.S.C. § 103(a) in view of Lorsch be withdrawn.

4. *Dependent Claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 33, 34, 36, 37, 39, 43-44, 50, 51, 53, 54, 56, 61, and 68-71*

Claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 are dependent on claim 1, which has been shown above to be patentable over the cited reference. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 under 35 U.S.C. § 103(a) in view of Lorsch be withdrawn.

Claims 33, 34, 36, 37, and 39 are dependent on claim 31, which has been shown above to be patentable over the cited reference. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 33, 34, 36, 37, and 39 under 35 U.S.C. § 103(a) in view of Lorsch be withdrawn.

Claims 43-44, 50, 51, 53, 54, and 56 are dependent on claim 42, which has been shown above to be patentable over the cited reference. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 43-44, 50, 51, 53, 54, and 56 under 35 U.S.C. § 103(a) in view of Lorsch be withdrawn.


IV. Conclusion

For at least the reasons set forth above, the Applicants respectfully submit that claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, 68-71 are in condition for allowance. The Applicants request that the present Amendment be entered and the application be found allowable.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned representative.

Respectfully submitted,

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